

September 2004

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SEP 02 2004

In re Application of:
Satoshi Murakami et al.
Serial No.: 09/516,082
Filed: March 1, 2000
Attorney Docket No.: 0553-0163

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DECISION ACCEPTING PAPERS

This is a decision on the petition filed on July 7, 2004 under 37 C.F.R. § 1.137(a) for revival of an application for patent abandoned unavoidably. It is being treated as a request to accept papers.

The request is **GRANTED**.

At the time this request was filed, application records merely showed that a final rejection was mailed on December 3, 2003 with no response from applicant until the present request was filed on July 7, 2004. Requester asserts that a response (an RCE; an amendment; and an IDS) was filed on February 6, 2004 except that the last two digits of the application's serial number were transposed. Specifically, the application's serial number was listed as 09/516,028 when it should have been listed as 09/516,082. To support this assertion, requester has submitted a copy of the response and a copy of a return postcard which identifies and acknowledges receipt of the response by the Patent and Trademark Office (PTO) on February 6, 2004.

Although the serial number of the application is transposed from 09/516,082 to 09/516,028 on both the response and on the postcard, the other information such as the filing date and the first named inventor's name is correct. Thus, the transposed application serial number is considered a minor error that could have been quickly discovered. See M.P.E.P. § 502.

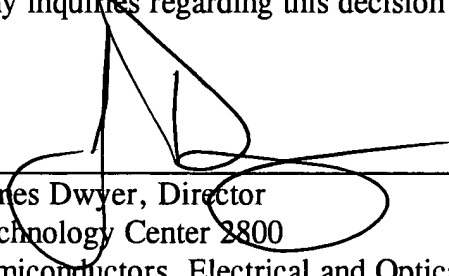
A review of application records reveals that the above-identified response having been acknowledged as being received in the PTO on February 6, 2004 was in fact received and associated with Serial Number 09/516,028. The response included a Certificate of Mailing dated February 3, 2004. Thus, the response was timely filed in accordance with the provisions of 37 C.F.R. § 1.8(a).

For the above stated reasons, the request is granted. The response of February 6, 2004 as well as the payment of the fees (a check in the amount of \$1,958.00) associated with the

response have now been disassociated from application serial number 09/516,028 and associated with application serial number 09/516,082.

The response will be processed by the Technology Center 2800 support staff and the examiner will prepare an Office action based upon the response.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.



James Dwyer, Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components